

Hearing Date: March 19, 2014  
Time: 1:00 p.m.  
Location: Port Orchard

Response must be filed by: March 12, 2014

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

IN RE:

No. 13-12215

REX AND ROSALEE WELCH,  
Debtor.

TRUSTEE'S MOTION TO SELL  
PROMISSORY NOTE

TO: The Debtors, Creditors and Parties of Interest:

I. MOTION

The Trustee moves for an order approving the sale of the property of the Bankruptcy Estate to the parties identified below and for the Trustee to execute any documents which may be necessary to carry out the proposed sale.

The property to be sold, the relevant terms of the sale and other details can be summarized below:

Purchaser: John Palumbo

Sale Price: Three thousand five hundred dollars

Terms of Sale: All cash.

Description of property: Promissory note from James Grossman dated February 1, 2012 in the original amount of \$28,000.00

Costs of sale: All closing costs will be paid by purchaser.

Known encumbrances and approximate payoff amounts: at the time the bankruptcy case was filed, the debtors were entitled to the first \$12,663.89 as and for their exemption. The Purchaser is purchasing the balance of the note after the debtors have received their exemption amount in full.

Any party desiring any further information should contact the undersigned at the address

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**JOHN S. PETERSON**  
ATTORNEY AT LAW  
P.O. Box 829  
Kingston, WA 98346  
(360)626-4392

1 printed at the lower right hand corner hereof.

2 Please note that the order which the Court may ultimately enter on this motion may be  
3 materially different from the order as proposed herein depending upon, among other things, any  
4 objections or responses hereto. Any party concerned about such material changes should appear  
5 at the hearing and/or file appropriate pleadings setting forth their position.

## 6 II. DISCUSSION

7 The sale is of the debtor's interest in a promissory note. The promissory note is secured  
8 by a deed of trust on real property in Harrison County, Mississippi. The original amount of the  
9 note was \$28,000.00. The note provides for monthly payments of \$200.17 and carries an interest  
10 rate of 3.5%. The note is being sold at a discount based on the length of the note payments.  
11 The purchaser will collect note payments but will provide the debtors with their exemption until  
12 the exemption amount of \$12,663.89 is paid in full. The Trustee calculates that by the hearing  
13 date the debtors would have received 12 payments at \$200.17 each or \$2,402.04 and thus will be  
14 able to continue to receive an amount of \$10,261.85 after the hearing date. The purchaser's offer  
15 appears reasonable and therefore, Trustee requests approval of the same.

## 16 III. CONCLUSION

17 The Trustee request the Court to grant his motion and approve the proposed sale of the  
18 property (promissory note).

19 DATED: January 29, 2014

20 /s/ JOHN S. PETERSON  
21 John S. Peterson  
22 Trustee  
23 PO Box 829  
24 Kingston, WA 98346

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27 **JOHN S. PETERSON**  
28 ATTORNEY AT LAW  
P.O. Box 829  
Kingston, WA 98346  
(360)626-4392